

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JACKIE FISHER

Plaintiff,

VS.

**UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON**

Defendants.

CIVIL ACTION NO. 4:08-CV-01273

Jury Demanded

TRIAL WITNESS LIST OF PLAINTIFF, JACKIE FISHER

Plaintiff, JACKIE FISHER, hereby serves and files this, her Trial Witness List, as required by the FEDERAL RULES OF CIVIL PROCEDURE, Rules 26(a)(3)(A)(i) & (ii).

Plaintiff Expects to Present:

1. Jackie Fisher, Plaintiff
c/o The Law Office of Jo Miller, P.L.L.C.
505 North Main Street
Carriage House
Conroe, Texas 77301
(936) 539-4400
Plaintiff will testify concerning all material allegations and facts of this case.
2. David Watson
c/o Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capitol station
Austin, Texas 78711
Tel: (512)463-2120
Plaintiff expects to present this witness at trial. Defendant-Plaintiff's former supervisor-
will testify concerning the material aspects and factual basis of this case as well as UTMB's
procedures and practices.

3. Mary Gotcher
c/o Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capitol station
Austin, Texas 78711
Tel: (512)463-2120
Plaintiff expects to present this witness at trial. Witness is expected to testify concerning Plaintiff's complaints and demotion, and treatment by Defendants and the on-site investigation conducted by Melton and Gotcher, as well as UTMB's procedures and practices.
4. Melvin Williams
UTMB Correctional Managed Care
Director of EEO
301 University Boulevard
Galveston, Texas 77555-1008
409/747-2600
Plaintiff expects to present this witness at trial. Witness is expected to testify concerning Plaintiff's complaints of discrimination and retaliation, his investigation and findings, and UTMB's response, as well as UTMB's procedures and practices.
5. Craig Fisher
c/o LAW OFFICE OF JO MILLER, P.L.L.C.
505 North Main Street
Conroe, Texas 77301
(936) 539-4400
Plaintiff expects to present this witness at trial. Plaintiff's husband—he will testify concerning Plaintiff's mental anguish damages and the impact on Plaintiff's family.
6. Sandy Radar
UTMB - Human Resource
3009A Highway 30 West
Huntsville, Texas 77340
Last known telephone number requested.
Plaintiff expects to present this witness at trial. Huntsville HR Administrator— is expected to testify concerning Plaintiff's complaints and demotion, and treatment by Defendants and the on-site investigation conducted by Melton and Gotcher, as well as UTMB's procedures and practices.

7. Georgia Melton
Address and telephone number unknown at this time.
Former Northern Division HR Director
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial. Witness is expected to testify concerning Plaintiff's complaints and demotion, and treatment by Defendants and the on-site investigation conducted by Melton and Gotcher, as well as UTMB's procedures and practices.
8. William Samarneh, Practice Manager
Estelle Unit- Facility Manager
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker, may testify concerning the events cited in Plaintiff's appeals to UTMB, as well as UTMB's procedures and practices.
9. Bobby Vincent, Medical Director, MD
Estelle Unit- Facility Management
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker, may testify concerning the events cited in Plaintiff's appeals to UTMB, as well as UTMB's procedures and practices.
10. Patricia Freeman, Licensed Vocational Nurse (LVN)
Estelle Unit (currently) (formerly at the Estelle and Goree Units)
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and was referenced in Plaintiff's appeal to UTMB. She may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

Plaintiff May Call if the Need Arises:

11. Denise Box, District Practice Manager
Estelle Unit - District Manager
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Mr. Watson's co-worker, may testify concerning the events cited in Plaintiff's appeals to UTMB, as well as UTMB's procedures and practices.
12. Carol Warren, Register Nurse (RN)
Palestine District Nurse Manager
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness was reassigned as Fisher's direct supervisor and is Mr. Watson's equal, may testify concerning the events cited in Plaintiff's fourth grievance, as well as UTMB's procedures and practices.
13. Rocia Sevilla, former Nurse Assistant
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher, and may testify concerning the request of her to provide a negative statement and her refusal, and has discoverable information concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
14. Ruby Proctor, Nurse Assistant
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

15. Jo Ann Mosley, Patient Care Assistant (PCA)
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
16. Theresa Morning, Patient Care Assistant
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
17. Patricia Pope, Patient Care Assistant
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
18. Lela Shaw, License Vocational Nurse
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and investigation by Melton and Gotcher and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

19. Shirley Fields, Security Officer
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning the daily activities on the Unit and Plaintiff's supervisory skills and leadership style, as well as UTMB's procedures and practices.
20. Michael Shaw, Security Officer
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning the daily activities on the Unit and Plaintiff's supervisory skills and leadership style, as well as UTMB's procedures and practices.
21. Norma Mason, RN
Nurse Manager
Pack, Luther and Hamilton Units
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker may testify concerning Plaintiff's demotion and appeal; has discoverable information concerning Defendant Watson's management style, as well as UTMB's procedures and practices.
22. Suzanne Hicks, Information Specialist, CMC EMR USERS
UTMB-Correctional Manager Care- Texas Tech Sector
Former HV District CCA
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning the to failure of the HV Provider Assisted Sick Call that's cited in Plaintiff's demotion letter, as well as UTMB's procedures and practices.
23. Kimberly Cotton
Program Manager, ADS
Estelle Unit
264 FM 3478
Huntsville, Texas 77320-3320
936/231-4200
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker, may testify concerning Plaintiff's management abilities, her demotion and appeal, and UTMB's procedures and practices.

24. Sarah Benavides, RN, Staff Nurse
Huntsville Unit
815 12th Street
Huntsville, Texas 77342
936/437-1975

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period, was cited as witness letter in Plaintiff's appeal, and may testify concerning Plaintiff's supervision and the daily activities on the Unit. Also may testify concerning Defendant Watson's management and leadership style, as well as UTMB's procedures and practices.

25. Carolynn Hicks, LVN
Huntsville Unit
815 12th Street
Huntsville, Texas 77342
936/437-1975

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

26. Gerlitha Perry, CCA
Huntsville Unit
815 12th Street
Huntsville, Texas 77342
936/437-1975

Plaintiff expects to present this witness at trial, if the need arises. Facility level staff, may testify concerning Plaintiff's supervision and the daily activities on the Unit. Also may testify concerning Julie Lawson and Gene McMaster's management and leadership styles, as well as UTMB's procedures and practices.

27. Carolyn Ross, PCA
Goree Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's former subordinate, may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

28. Delois Simms, PCA
815 12th Street
Huntsville, Texas 77342
936/437-1975
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
29. Mark Lewis, LVN
Goree Unit
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
30. Amanda Elmore, Former CCA
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's former administrative office support staff at the Estelle Unit- may testify concerning the daily activities on the Unit and Plaintiff's interaction with staff, supervisory skills, and leadership style, as well as UTMB's procedures and practices.
31. Rosalyn Kelly, Registered Nurse (RN)
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's former Assistant Nurse Manager at the Huntsville Unit, referenced in Plaintiff's demotion and appeal to UTMB; may testify concerning Plaintiff's supervisory skills and the daily activities on the Unit. Also may testify concerning Defendant Watson's management and leadership style, as well as UTMB's procedures and practices.
32. Matthew Lopez
Former Physician Assistant at the Estelle Unit
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervisory skills and the daily activities on the Unit. Also may testify concerning Plaintiff's peer management and leadership style, as well as UTMB's procedures and practices.

33. Dr. Arthur Austin
Former Medical Doctor at the Estelle Unit
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervisory skills and the daily activities on the Unit, as well as UTMB's procedures and practices.
34. Lowery Powers
Physician Assistant currently at Ellis Unit (formerly at Wynne Unit)
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and the daily activities on the Unit. Also may testify concerning UTMB's Human Resource discriminatory and inconsistency practices, as well as UTMB's procedures and practices.
35. Jamie Williams, Practice Manager, currently Estelle Unit
(formerly Wynne, Bryd, and Holliday Units Facility Manager)
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker-
Witness may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
36. Nandya Pandya, PCA
Wynne Unit
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.
37. Debbra Mock, LVN, currently at Holliday Unit (formerly at Wynne Unit)
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

38. Felecia Moffett, LVN
Wynne Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

39. Eva Williams, LVN
Ellis Unit
Supplemental HealthCare Staff, Agency Nurse

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

40. Kimberly Roddey, RN
Former Cluster Nurse Manager at Wynne, Byrd, and Holliday Units

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker, may testify concerning the events cited in Plaintiff's appeals. Also may testify Defendant Watson's management and leadership style, as well as UTMB's procedures and practices.

41. Rebecca McCreary, RN
Former Staff Nurse at Huntsville Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

42. Jane Henly, LVN
Former Staff Nurse at Ferguson Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

43. Hazel Bethea, former Security Officer
Estelle Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning the daily activities on the Unit and Plaintiff's supervisory skills and leadership style, as well as UTMB's procedures and practices.

44. Louise Fagan, CRRT
Estelle Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning the daily activities on the Unit and Plaintiff's supervisory skills and leadership style, as well as UTMB's procedures and practices.

45. Sherrie Edwards, Former LVN
Goree Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit, as well as UTMB's procedures and practices.

46. Ethel Burns, CCA
Ferguson Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit. Also may testify concerning Gene McMaster's management and leadership style, as well as UTMB's procedures and practices.

47. Sharon Clay-Keith, former Physician's Assistant

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and of UTMB's discriminatory and retaliatory practices; and may testify concerning Plaintiff's peer management and leadership style, as well as UTMB's procedures and practices.

48. Christina Stofferahn, former LVN
Ferguson Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit, as well as UTMB's procedures and practices.

49. Marilyn Peters, former RN
Ferguson Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit, as well as UTMB's procedures and practices.

50. Jennifer Nelson, LVN
Ellis Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify concerning Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

51. Allyson Kelly, former Correctional Clinical Associate
Ellis Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit. Also may testify concerning UTMB's discriminatory and retaliatory practices and of Plaintiff's peer management and leadership style, as well as UTMB's procedures and practices.

52. Connie Degelia, LVN
currently at Estelle Unit

Last known address and telephone number requested.

Plaintiff expects to present this witness at trial, if the need arises. Witness was under Plaintiff's supervision during the relevant time period and may testify Plaintiff's supervision and the daily activities on the Unit, as well as UTMB's procedures and practices.

53. Angela Colling, RN, Assistant Nurse Manager
Ellis Unit
Last known address and telephone number requested.
Plaintiff expects to present this witness at trial, if the need arises. Witness may testify concerning Plaintiff's supervision and daily activities on the Unit, as well as UTMB's procedures and practices.
54. Alicijia Reagan , ex sister-in-law
Address and telephone number to be supplemented.
Plaintiff expects to present this witness at trial, if the need arises. This individual may testify concerning the impact of Plaintiff's work environment on Plaintiff.
- 55 . Karen Austin
Address and telephone number to be supplemented.
Plaintiff expects to present this witness at trial, if the need arises. This individual may testify concerning the impact of Plaintiff's work environment on Plaintiff.
- 56 . Mark Roberts, Administrative Associate, formerly Goree and Estelle Units
currently Ellis and Eastham Units
Plaintiff expects to present this witness at trial, if the need arises. Plaintiff's co-worker-Witness may testify concerning Plaintiff's supervision and daily activities on the Unit, as well as UTMB's procedures and practices.
57. Jonathan Hulme, M.D.
17125 Red Oak Drive
Suite 110
Houston, Texas 77090
281/537-7784
Plaintiff expects to present this witness at trial, if the need arises. This is Plaintiff's treating physician who may testify as to the medical records showing treatments for stress at work and her mental anguish damages.

Respectfully Submitted,

LAW OFFICE OF JO MILLER, P.L.L.C.
505 North Main
Carriage House
Conroe, Texas 77301
(936) 539-4400 Tel.
(936) 539-4409 Fax

By: /s/ Jo Miller

JO MILLER

Attorney-in-Charge for Plaintiff,

Jackie Fisher

State Bar No. 00791268

Federal ID Number 20385

jmiller@jomillerlaw.com

NOTICE OF ELECTRONIC FILING

I, Jo Miller, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing document in accordance with the Electronic Case Files System of the Southern District of Texas, on this the 23rd day of January, 2010.

/s/ Jo Miller

Jo Miller

Attorney-in-Charge for Plaintiff,

Jackie Fisher

CERTIFICATE OF SERVICE

I, JO MILLER, do hereby certify that a true and correct copy of the Plaintiff's Trial Witness

List was served on January 23, 2010 as follows:

Sam Lively
sam.lively@oag.state.tx.us
Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capitol station
Austin, Texas 78711
Tel: (512)463-2120
Attorney for Defendants

/s/ Jo Miller

Jo Miller
Attorney-in-Charge for Plaintiff,
Jackie Fisher